

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

EDWARD JAMES HOVEY,

Defendant.

CR-21-50-GF-BMM

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on December 11, 2024. (Doc. 50.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on December 10, 2024. (Doc. 59.) The United States accused Edward Hovey (Hovey) of violating his conditions of supervised release by: (1) being in the company of minors on

multiple occasions; (2) failing to be at his residence between 4:00 p.m. and 10:00 p.m. on October 31, 2024; (3) changing his residence without approval of his probation officer; (4) admitting on November 14, 2024 to being untruthful to his probation officer about where he was living; (5) admitting on November 14, 2024 to viewing pornography on two occasions; and (6) being terminated from sex offender treatment on November 14, 2024; and by (7) being in possession of a smartphone on December 5, 2024 . (Docs. 43 and 45.)

At the revocation hearing, admitted Hovey admitted that he had violated the terms of his supervised release by: (1) being in the company of minors on multiple occasions; (2) failing to be at his residence between 4:00 p.m. and 10:00 p.m. on October 31, 2024; (3) changing his residence without approval of his probation officer; (4) admitting on November 14, 2024 to being untruthful to his probation officer about where he was living; (5) admitting on November 14, 2024 to viewing pornography on two occasions; (6) being terminated from sex offender treatment on November 14, 2024; and (7) being in possession of a smartphone on December 5, 2024 . (Doc. 47.)

Judge Johnston found that the violations Hovey admitted prove serious and warrants revocation of his supervised release and recommends a term of custody of 4 months, with 56 months of supervised release to follow. During the first 180 days of supervised release, Hovey shall be subject to home detention at his

grandfather's residence. (Doc. 50.) Hovey was advised of his rights to appeal and allocute to the undersigned and waived those rights. (Doc. 47.)

The violations prove serious and warrants revocation of Hovey's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 50.) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Edward James Hovey be sentenced to a term of custody of 4 months, with 56 months of supervised release to follow. During the first 180 days of supervised release, Hovey shall be subject to home detention at his grandfather's residence .

DATED this 27th day of December, 2024.

A handwritten signature in blue ink, reading "Brian Morris".

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Brian Morris, Chief District Judge  
United States District Court